

## Department of Veterans Affairs

## § 59.30

number must be included on all subsequent written communications to VA from the State, or its agent, regarding a request for a grant for that project under this part.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

### **§ 59.4 Decisionmakers, notifications, and additional information.**

The decisionmaker for decisions required under this part will be the Chief Consultant, Geriatrics and Extended Care, unless specified to be the Secretary or other VA official. The VA decisionmaker will provide written notice to affected States of approvals, denials, or requests for additional information under this part.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

### **§ 59.5 Submissions of information and documents to VA.**

All submissions of information and documents required to be presented to VA must be made, unless otherwise specified under this part, to the Chief Consultant, Geriatrics and Extended Care (114), VA Central Office, 810 Vermont Avenue, NW., Washington, DC 20420.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

### **§ 59.10 General requirements for a grant.**

For a State to obtain a grant under this part and grant funds, its initial application for the grant must be approved under § 59.20, and the project must be ranked sufficiently high on the priority list for the current fiscal year so that funding is available for the project. It must meet the additional application requirements in § 59.60, and it must meet all other requirements under this part for obtaining a grant and grant funds.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

### **§ 59.20 Initial application requirements.**

(a) For a project to be considered for inclusion on the priority list in § 59.50 of this part for the next fiscal year, a State must submit to VA an original

and one copy of a completed VA Form 10–0388–1 and all information, documentation, and other forms specified by VA Form 10–0388–1 (these forms are available on the internet Web sites provided in § 59.170 of this part).

(b) The Secretary, based on the information submitted for a project pursuant to paragraph (a) of this section, will approve the project for inclusion on the priority list in § 59.50 of this part if the submission includes all of the information requested under paragraph (a) of this section and if the submission represents a project that, if further developed, could meet the requirements for a grant under this part.

(c) The information requested under paragraph (a) of this section should be submitted to VA by April 15, and must be received by VA by August 15, if the State wishes an application to be included on the priority list for the award of grants during the next fiscal year.

(d) If a State representative believes that VA may not award a grant to the State for a grant application during the current fiscal year and wants to ensure that VA includes the application on the priority list for the next fiscal year, the State representative must, prior to August 15 of the current fiscal year,

(1) Request VA to include the application in those recommended to the Secretary for inclusion on the priority list, and

(2) Send any updates to VA.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

[66 FR 33847, June 26, 2001, as amended at 73 FR 58880, Oct. 8, 2008]

### **§ 59.30 Documentation.**

For a State to obtain a grant and grant funds under this part, the State must submit to VA documentation that the site of the project is in reasonable proximity to a sufficient concentration and population of veterans that are 65 years of age and older and that there is a reasonable basis to conclude that the facility when complete

## § 59.40

will be fully occupied. This documentation must be included in the initial application submitted to VA under § 59.20.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

### § 59.40 Maximum number of nursing home care and domiciliary care beds for veterans by State.

(a) Except as provided in paragraph (b) of this section, a state may not request a grant for a project to construct or acquire a new state home facility, to increase the number of beds available at a state home facility, or to replace beds at a state home facility if the project would increase the total number of state home nursing home and domiciliary beds in that state beyond the maximum number designated for that state, as shown in the following chart. The provisions of 38 U.S.C. 8134 require VA to prescribe for each state the number of nursing home and domiciliary beds for which grants may be furnished (*i.e.*, the unmet need). A state's unmet need for state home nursing home and domiciliary beds is the number in the following chart for that state minus the sum of the number of nursing home and domiciliary beds in operation at state home facilities and the number of state home nursing home and domiciliary beds not yet in operation but for which a grant has either been requested or awarded under this part.

State	Maximum number of state home, nursing home & domiciliary beds based on 2020 projections
Alabama .....	1007
Alaska .....	179
Arizona .....	1520
Arkansas .....	653
California .....	4363
Colorado .....	1114
Connecticut .....	559
Delaware .....	207
District of Columbia .....	83
Florida .....	4049
Georgia .....	1975
Hawaii .....	268
Idaho .....	394
Illinois .....	1754
Indiana .....	1216
Iowa .....	578
Kansas .....	518
Kentucky .....	818
Louisiana .....	638
Maine .....	362

## 38 CFR Ch. I (7–1–11 Edition)

State	Maximum number of state home, nursing home & domiciliary beds based on 2020 projections
Maryland .....	1102
Massachusetts .....	944
Michigan .....	1786
Minnesota .....	1058
Mississippi .....	480
Missouri .....	1257
Montana .....	281
Nebraska .....	371
Nevada .....	649
New Hampshire .....	361
New Jersey .....	992
New Mexico .....	417
New York .....	2209
North Carolina .....	1900
North Dakota .....	137
Ohio .....	2143
Oklahoma .....	766
Oregon .....	907
Pennsylvania .....	2336
Puerto Rico .....	288
Rhode Island .....	157
South Carolina .....	1089
South Dakota .....	179
Tennessee .....	1311
Texas .....	4119
Utah .....	426
Vermont .....	142
Virginia .....	1903
Virgin Islands .....	12
Washington .....	1687
West Virginia .....	406
Wisconsin .....	1062
Wyoming .....	154
American Samoa .....	0
Guam .....	12
N. Mariana Islands .....	1

NOTE TO PARAGRAPH (a): The provisions of 38 U.S.C. 8134 require that the “un-met need” numbers be based on a 10-year projection of demand for nursing home and domiciliary care by veterans who at such time are 65 years of age or older and who reside in that state. In determining the projected demand, VA must take into account travel distances for veterans and their families.

(b) A State may request a grant for a project that would increase the total number of State nursing home and domiciliary beds beyond the maximum number for that State, if the State submits to VA, documentation to establish a need for the exception based on travel distances of at least two hours (by land transportation or any other usual mode of transportation if land transportation is not available) between a veteran population center sufficient for the establishment of a State home and any existing State home. The determination regarding a request